

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

February 4, 2003 LB 22, 49

all grades of the offenses are attempted, except where the attempted crime is a Class IC or Class ID felony. The absence of the specific felonies is an oversight. LB 22 corrects the omission by including Class IC and Class ID felonies. The correction does not alter the intent or purpose of the crime of criminal intent, but rather corrects an unintentional error. The bill was advanced unanimously by those members of your Judiciary Committee voting, and I would urge its advancement. Thank you.

SPEAKER BROMM: Thank you, Senator Brashear. Any discussion? Seeing none, Senator Brashear, you're recognized to close. He waives closing. The question then is the advancement of LB 22 to E & R Initial. All in favor please vote aye; opposed vote nay. Please record.

CLERK: 33 ayes, 0 nays, Mr. President, on the advancement of LB 22.

SENATOR BRASHEAR: LB 22 is advanced. Next item, Mr. Clerk.

CLERK: LB 49, a bill by Senator Brashear. (Read title.) Bill was introduced on January 9, referred to the Judiciary Committee, advanced to General File. I have no amendments at this time, Mr. President.

SPEAKER BROMM: Thank you, Mr. Clerk. Senator Brashear.

SENATOR BRASHEAR: Mr. Speaker, thank you. Members of the body, the Revisor of Statutes has identified a needed technical change to the statute relating to the crime of possessing or distributing obscene material. The change is not significant enough to warrant a separate Revisor's bill. The statute currently reads, "In all cases in which a charge or violation of this section is brought against a person," et cetera. To be precise, violation is not what is brought against a person in criminal law. Rather, a charge is what is brought. LB 49 strikes the erroneously placed word "or" and replaces that word with "of" so that the relevant sentence reads correctly. The bill was advanced unanimously by those members of your Judiciary Committee present, and I urge its advancement. Thank you.